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File No. 043671-0098

December 18, 2017

**VIA EMAIL**

National Freedom of Information Officer  
U.S. Environmental Protection Agency, Region X  
1200 Pennsylvania Avenue, NW (2822T)  
Washington, DC 20460

**Re: Freedom of Information Act Request**

Dear FOIA Administrator:

This is a Freedom of Information Act Request pursuant to 5 U.S.C. § 552. I request that a copy of the following document(s) be provided to me:

**EPA Region 10, Office of Air & Waste**

1. Any and all records relating to or concerning annual inspections in the Idaho cities of Coeur d'Alene, Dalton Gardens, Hauser, Hayden, Hayden Lake, Post Falls, and Rathdrum Idaho conducted pursuant to the Toxic Substances Control Act ("TSCA") and relating to PCBs.
2. Any and all records relating to or concerning investigations or enforcement actions under TSCA relating to PCBs against facilities listed in Attachment 1.

**EPA Region 10, Office of Water & Watersheds (Idaho Operations Office)**

1. Any and all current and historical records relating to or concerning the following wastewater treatment plants:
  - a. Post Falls Wastewater Treatment Plant, located at 1720 West Seltice Way, Post Falls, Idaho; Permit No. ID-002585-2 and IDS-028231
  - b. Hayden Area Regional Sewer Board Wastewater Treatment Plant, located at 10789 North Atlas Road, Rathdrum, Idaho; Permit No. ID-0026590
  - c. Coeur d'Alene Wastewater Facility, located at 1080 Hubbard Avenue, City of Coeur d'Alene, Idaho; Permit Nos. ID-0022853 and IDS-028215

Records of interest include, but are not limited to, records pertaining to the National Pollutant Discharge Elimination System (“NPDES”) Program (e.g., permit applications, Wastewater Discharge Permits, MS4 Permits, discharge monitoring reports, facility plans, annual reports, conveyance system upgrades or modifications, construction grant application and grants, inspection reports, violation notices, Orders, Consent Decrees, correspondence, etc.).

2. Any and all current and historical records relating to or concerning the following permits;
  - a. Idaho Transportation Department, District #1; Permit No. IDS-028223
  - b. Lakes Highway District; Permit No. IDS-028207
  - c. Post Falls Highway District outfalls; Permit No. ID-0028193

Records of interest include, but are not limited to, records pertaining to the NPDES (e.g., permit applications, MS4 permits, discharge monitoring reports, stormwater management plans, quality assurance plans, annual reports, outfall system upgrades or modifications, inspection reports, violation notices, Orders, Consent Decrees, correspondence, etc.).

For purposes of this request:

1. The terms “and” and “or” are used herein as terms of inclusion and not of exclusion and shall have both conjunctive and disjunctive meanings, and the words “any” and “all” mean each and every.
2. The term “PCB” or “PCBs” means polychlorinated biphenyls, including any individual chlorinated diphenyl congener, and any product or mixture that incorporates any polychlorinated biphenyl, including, without limitation, Askarel, Aroclor, Interteen, Pydraul, Pyralene, Pyranol, and Therminol FR.
3. The terms “relating to” or “concerning” mean in whole or in part to discuss, describe, reflect, memorialize, contain, analyze, study, report on, comment on, evidence, constitute, embody, identify, state, consider, recommend, set forth, concern, address, deal with or in any way pertain to.

To the extent any of the records responsive to this request are stored in electronic format, please also provide a copy of the records in their native electronic format on CD-ROM or other media that will enable us to load the records onto a computer. When providing electronic records, please include metadata.

Please supply the requested records without informing me of the cost if the fees do not exceed \$1,000.00, which I agree to pay as necessary. Otherwise, I ask that you notify me of any search or duplication costs exceeding \$1,000.00, so that I may decide which records I want copied.

If you are not the appropriate contact for this FOIA request, please let me know so that I may direct this request to the appropriate contact. If you deny any part of this request, please cite each specific reason that you believe justifies your refusal to release the information with respect to each document or category of documents refused. Please also notify me of any appeal procedures available under the law.

**LATHAM & WATKINS** LLP

If you have any questions about this request, please contact me at [elizabeth.annis@lw.com](mailto:elizabeth.annis@lw.com).  
Thank you for your time and attention to this matter.

Very truly yours,

/s/ Elizabeth K. Annis

Elizabeth K. Annis  
of LATHAM & WATKINS LLP

# **ATTACHMENT 1**

**Attachment 1**  
**List of Facilities**

No.	Entity	City	Facility Address
1	Avista Corporation (formerly Washington Water Power Co.)	All locations within Kootenai County	Various locations
2	Coeur d'Alene School District 271	Coeur d'Alene	311 N 10th Street
3	Idaho Forest Industries Ind.	Coeur d'Alene	926 River Avenue
4	Idaho Forest Industries Ind.	Coeur d'Alene	2850 Seltice Way
5	Potlatch Corp Wood Products Western Div.	Coeur d'Alene	23rd and Sherman
6	Thorco, Inc.	Coeur d'Alene	4965 Industrial Way
7	Tomlinson Black North Idaho Inc.	Coeur d'Alene	1400 Northwood Center Court
8	Washington Water Power Co.	Coeur d'Alene	510 East Best Avenue
9	Shampoo Co., The	Dalton Gardens	7320 Davenport Rd
10	Aleris Recycling Inc.	Hauser	4000 West Prairie Avenue
11	Kootenai Electric Coop	Hayden Lake	West 2451 Dakota Avenue
12	Harpers Inc.	Post Falls	1500 W Seltice Way
13	Idaho Asphalt Supply Inc. (Hauser Plant)	Post Falls	16425 Prairie Avenue
14	Idaho Veneer Co	Post Falls	E 704 4th Street
15	IMCO Recycling of Idaho, Inc. / Real Alloy Recycling, Inc. / Aleris Recycling, Inc.	Post Falls	16168 W. Prairie Avenue
16	Louisiana Pacific Corp.	Post Falls	S Spokane & 3rd
17	Post Falls School District 273	Post Falls	600 E Seltice Way and 106 w Mullan Avenue
18	Lakeland School District 272	Rathdrum	1564 Washington Avenue